

**STATEMENT UNDER 37 CFR 3.73(b)**

Applicant/Patent Owner: Judith C. Donovan, William P. Donovan, James T. Engleman, Thomas L. Malvar &amp; John W. Pitkin

Application No./Patent No.: 10/581,673 Filed/Issue Date: June 6, 2006

Titled: SECRETED INSECTICIDAL PROTEIN AND GENE COMPOSITIONS FROM BACILLUS THURINGIENSIS AND USES THEREFOR

Monsanto Technology LLC, a corporation  
(Name of Assignee) (Type of Assignee, e.g., corporation, partnership, university, government agency, etc.)

states that it is:

1.  the assignee of the entire right, title, and interest in;
2.  an assignee of less than the entire right, title, and interest in  
(The extent (by percentage) of its ownership interest is \_\_\_\_\_ %); or
3.  the assignee of an undivided interest in the entirety of (a complete assignment from one of the joint inventors was made)

the patent application/patent identified above, by virtue of either:

- A.  An assignment from the inventor(s) of the patent application/patent identified above. The assignment was recorded in the United States Patent and Trademark Office at Reel 015369, Frame 0884, or for which a copy therefore is attached.

**OR**

- B.  A chain of title from the inventor(s), of the patent application/patent identified above, to the current assignee as follows:

1. From: \_\_\_\_\_ To: \_\_\_\_\_

The document was recorded in the United States Patent and Trademark Office at

Reel \_\_\_\_\_, Frame \_\_\_\_\_, or for which a copy thereof is attached.

2. From: \_\_\_\_\_ To: \_\_\_\_\_

The document was recorded in the United States Patent and Trademark Office at

Reel \_\_\_\_\_, Frame \_\_\_\_\_, or for which a copy thereof is attached.

3. From: \_\_\_\_\_ To: \_\_\_\_\_

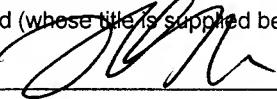
The document was recorded in the United States Patent and Trademark Office at

Reel \_\_\_\_\_, Frame \_\_\_\_\_, or for which a copy thereof is attached.

 Additional documents in the chain of title are listed on a supplemental sheet(s). As required by 37 CFR 3.73(b)(1)(i), the documentary evidence of the chain of title from the original owner to the assignee was, or concurrently is being, submitted for recordation pursuant to 37 CFR 3.11.

[NOTE: A separate copy (i.e., a true copy of the original assignment document(s)) must be submitted to Assignment Division in accordance with 37 CFR Part 3, to record the assignment in the records of the USPTO. See MPEP 302.08]

The undersigned (whose title is supplied below) is authorized to act on behalf of the assignee.

  
Signature

July 20, 2011

Date

Robert E. Hanson, Esq.

Attorney for Applicants

Printed or Typed Name

Title

This collection of information is required by 37 CFR 3.73(b). The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.11 and 1.14. This collection is estimated to take 12 minutes to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.



(# 201(52949)A/US)

CORRECTED  
NOTICE

UNITED STATES PATENT AND TRADEMARK OFFICE

UNDER SECRETARY OF COMMERCE FOR INTELLECTUAL PROPERTY AND  
DIRECTOR OF THE UNITED STATES PATENT AND TRADEMARK OFFICE

NOVEMBER 30, 2004

PTAS

MONSANTO COMPANY  
GAIL WUELLENER, TIMOTHY K. BALL  
800 NORTH LINDBERGH  
MAIL ZONE E2NA  
ST. LOUIS, MO 63167

DEC - 6 2004

UNITED STATES PATENT AND TRADEMARK OFFICE  
NOTICE OF RECORDATION OF ASSIGNMENT DOCUMENT

THE ENCLOSED DOCUMENT HAS BEEN RECORDED BY THE ASSIGNMENT DIVISION OF  
THE U.S. PATENT AND TRADEMARK OFFICE. A COMPLETE MICROFILM COPY IS  
AVAILABLE AT THE ASSIGNMENT SEARCH ROOM ON THE REEL AND FRAME NUMBER  
REFERENCED BELOW.

PLEASE REVIEW ALL INFORMATION CONTAINED ON THIS NOTICE. THE  
INFORMATION CONTAINED ON THIS RECORDATION NOTICE REFLECTS THE DATA  
PRESENT IN THE PATENT AND TRADEMARK ASSIGNMENT SYSTEM. IF YOU SHOULD  
FIND ANY ERRORS OR HAVE QUESTIONS CONCERNING THIS NOTICE, YOU MAY  
CONTACT THE EMPLOYEE WHOSE NAME APPEARS ON THIS NOTICE AT 703-308-9723.  
PLEASE SEND REQUEST FOR CORRECTION TO: U.S. PATENT AND TRADEMARK OFFICE,  
ASSIGNMENT DIVISION, BOX ASSIGNMENTS, CG-4, 1213 JEFFERSON DAVIS HWY,  
SUITE 320, WASHINGTON, D.C. 20231.

RECORDATION DATE: 11/11/2004

REEL/FRAME: 015369/0884  
NUMBER OF PAGES: 6

BRIEF: ASSIGNMENT OF ASSIGNEE'S INTEREST (SEE DOCUMENT FOR DETAILS).

ASSIGNEE:

DONOVAN, JUDITH C.

DOC DATE: 10/26/2004

ASSIGNEE:

DONOVAN, WILLIAM P.

DOC DATE: 10/26/2004

ASSIGNEE:

ENGLEMAN, JAMES T.

DOC DATE: 11/02/2004

ASSIGNEE:

MALVAR, THOMAS M.

DOC DATE: 11/09/2004

ASSIGNEE:

PITKIN, JOHN W.

DOC DATE: 10/26/2004

(TKB)  
=  
**POSTED**  
11/20/04/AM

ASSIGNEE:

MONSANTO TECHNOLOGY LLC  
800 NORTH LINDBERGH  
ST.LOUIS, MISSOURI 63167

SERIAL NUMBER: 60529917

FILING DATE: 12/16/2003

PATENT NUMBER:

ISSUE DATE:

TITLE: SECRETED INSECTICIDAL PROTEIN AND GENE COMPOSITIONS FROM BACILLUS  
THURINGIENSIS AND USES THEREFOR

DOROTHY WILLIAMS, PARALEGAL  
ASSIGNMENT DIVISION  
OFFICE OF PUBLIC RECORDS

**ASSIGNMENT**

WHEREAS, WE, the undersigned, have made, and have an obligation to assign to Monsanto Technology LLC, certain invention or inventions which are disclosed in patent application(s) and/or provisional patent application(s) entitled:

Secreted Insecticidal Protein and Gene Compositions from Bacillus Thuringiensis and Uses Therefor

identified as U.S. Serial No. 60/529,917 and filed on December 16, 2003; and

WHEREAS, Monsanto Technology LLC, of St. Louis, Missouri, a Corporation of the State of Delaware, is desirous of acquiring the entire right, title and interest in and to said invention or inventions and any and all patents to be obtained therefor;

NOW, THEREFORE, FOR GOOD AND VALUABLE CONSIDERATION, the receipt of which is hereby acknowledged, WE do hereby sell, assign and transfer to said Monsanto Technology LLC, its successors and assigns, the entire right, title and interest in and to said invention or inventions, in any form or embodiment thereof, and in and to said application(s); and in and to any and all applications filed in any country based thereon, including the right to file applications in countries other than the country of priority filing under the provisions of any international convention; also in and to any and all improvements on said invention or inventions now or hereafter made by me/us as employee(s), agent(s) or contractor(s) of said Monsanto Technology LLC; also the entire right, title and interest in and to any and all patents, including reissues and extensions thereof, to be obtained in any country upon said invention, inventions or improvements, and any and all continuing applications, including divisional, continuation and continuation-in-part applications, substitute applications, and applications claiming benefit of an earlier filed provisional application, which may be filed upon said invention, inventions or improvements in any country; and

WE hereby authorize and request the issuing authority to issue any and all patents on said application or applications to said Monsanto Technology LLC, as assignee of the entire interest.

WE further agree, without any payment by Monsanto Technology LLC other than in reimbursement of reasonable expenses we may incur, to communicate to said Monsanto Technology LLC, its representatives, agents or assignees of the entire right, title and interest hereto, any facts relating to said invention, inventions or improvements, including evidence for purposes of interference, opposition or other legal proceedings, whenever requested; testify in any interference, opposition or other legal proceedings, whenever requested; and execute and deliver, on request, all lawful papers required to make any of the foregoing provisions effective.

IN TESTIMONY WHEREOF, WE have hereto set our hands on the dates set after our signatures.

Signature: Judith C. Donovan

Date: October 24, 2004

Name: Judith C. Donovan

City and state or country of residence: Manchester, Missouri

State of MO

} ss.  
County of St. Louis

On this 26<sup>th</sup> day of October, 2004, before me personally appeared Judith C. Donovan, to me known to be the person who executed the foregoing instrument and acknowledged that he/she executed the same as his/her free act and deed; in testimony whereof I have hereto set my hand and official seal on the day last above written.



Darla Gault Gallagher  
Notary Public or Consular Officer

My Commission expires 10-01-2007

Signature: William P. Donovan

Date: October 24, 2004

Name: William P. Donovan

City and state or country of residence: Manchester, Missouri

State of MO

} ss.  
County of St. Louis

On this 26<sup>th</sup> day of October, 2004, before me personally appeared William P. Donovan, to me known to be the person who executed the foregoing instrument and acknowledged that he/she executed the same as his/her free act and deed; in testimony whereof I have hereto set my hand and official seal on the day last above written.



Darla Gault Gallagher  
Notary Public or Consular Officer

My Commission expires 10-1-2007

Signature:

James T. Engleman

Date:

1/02/04

Name: James T. Engleman

City and state or country of residence: Ephrata, Pennsylvania

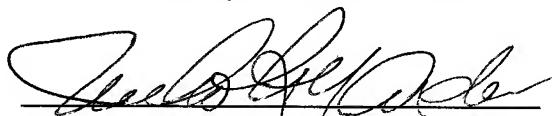
State of Pennsylvania

} ss.

County of Lancaster

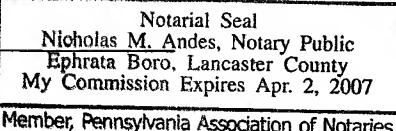
On this 2nd day of November, 2004, before me personally appeared James T. Engleman, to me known to be the person who executed the foregoing instrument and acknowledged that he/she executed the same as his/her free act and deed; in testimony whereof I have hereto set my hand and official seal on the day last above written.

(seal)



Notary Public or Consular Officer

My Commission expires \_\_\_\_\_



Member, Pennsylvania Association of Notaries

Signature:

Thom M. Malvar

Date: Nov. 9, 2004

Name: Thomas M. Malvar

City and state or country of residence: North Stonington, Connecticut

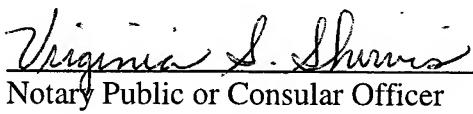
State of Connecticut

} ss.

County of New London

On this 9th day of November, 2004, before me personally appeared Thomas M. Malvar, to me known to be the person who executed the foregoing instrument and acknowledged that he/she executed the same as his/her free act and deed; in testimony whereof I have hereto set my hand and official seal on the day last above written.

(seal)



Notary Public or Consular Officer

My Commission expires My Commission Expires 9/30/2005

Signature: John W. Pitkin

Date: 10/26/04

Name: John W. Pitkin

City and state or country of residence: Wildwood, Missouri

State of MO }  
County of St. Louis } ss.

On this 26<sup>th</sup> day of October, 2004, before me personally appeared John W. Pitkin, to me known to be the person who executed the foregoing instrument and acknowledged that he/she executed the same as his/her free act and deed; in testimony whereof I have hereto set my hand and official seal on the day last above written.



Darla Gault Gallagher  
Notary Public or Consular Officer

My Commission expires 10-1-07